



#3

PATENT
Docket No. 300622002021COMBINED DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **POLYKETIDE SYNTHASE GENE FROM SORANGIUM CELLULOSUM**, the specification of which is attached hereto unless the following box is checked:

- was filed on 08/28/2001 as United States Application Serial No. 09/942,025 and was amended on _____ (if applicable).

WE HEREBY STATE THAT WE HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

| Application No. | Country | Date of Filing (day/month/year) | Priority Claimed? |
|-----------------|---------|------------------------------------|--|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| Application Serial No. | Filing Date |
|------------------------|------------------|
| 60/271,245 | 15 February 2001 |

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, We acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.



| Application Serial No. | Filing Date | Status |
|------------------------|-----------------|--|
| 09/144,085 | 31 August 1998 | <input checked="" type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned |
| 09/010,809 | 22 January 1988 | <input checked="" type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned |

We hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Lisa A. Amii (Reg No. 48,199)
 Mehran Arjomand (Reg No. P48,231)
 Sanjay S. Bagade (Reg No. 42,280)
 Erwin J. Basinski (Reg No. 34,773)
 Richard R. Batt (Reg No. 43,485)
 Jonathan Bockman (Reg No. 45,640)
 Barry E. Bretschneider (Reg No. 28,055)
 Nicholas Buffinger (Reg No. 39,124)
 Mark R. Carter (Reg No. 39,131)
 Peng Chen (Reg No. 43,543)
 Thomas Chuang (Reg No. 44,616)
 Cara M. Coburn (Reg No. 46,631)
 Raj S. Davé (Reg No. 42,465)
 Karen B. Dow (Reg No. 29,684)
 Carolyn A. Favorito (Reg No. 39,183)
 Hector Gallegos (Reg No. 40,614)
 Debra J. Glaister (Reg No. 33,888)
 Johny U. Han (Reg No. 45,565)
 Alan S. Hodes (Reg No. 38,185)
 Kelvan P. Howard (Reg No. P48,999)
 Jill A. Jacobson (Reg No. 40,030)
 Madeline I. Johnston (Reg No. 36,174)
 Parisa Jorjani (Reg No. 46,813)
 Richard C. Kim (Reg No. 40,046)
 Lawrence B. Kong (Reg No. P49,043)
 Glenn Kubota (Reg No. 44,197)
 Michael J. Mauriel (Reg No. 44,226)
 Philip A. Morin (Reg No. P-45,926)
 Mabel Ng (Reg No. P48,922)
 Catherine M. Polizzi (Reg No. 40,130)
 Debra A. Shetka (Reg No. 33,309)
 Rebecca Shortle (Reg No. 47,083)
 Stanley H. Thompson (Reg No. 45,160)
 Michael R. Ward (Reg No. 38,651)
 Todd W. Wight (Reg No. 45,218)
 David T. Yang (Reg No. 44,415)
 George C. Yu (Reg No. 44,418)

Randolph Ted Apple (Reg No. 36,429)
 Laurie A. Axford (Reg No. 35,053)
 Joseph Barrera (Reg No. 44,522)
 Shantanu Basu (Reg No. 43,318)
 Vincent J. Belusko (Reg No. 30,820)
 Kimberly A. Bolin (Reg No. 44,546)
 Tyler S. Brown (Reg No. 36,465)
 A. Randall Camacho (Reg No. 46,595)
 Robert K. Cerpa (Reg No. 39,933)
 Alex Chartove (Reg No. 31,942)
 Thomas E. Ciotti (Reg No. 21,013)
 Matthew M. D'Amore (Reg No. 42,457)
 Peter Davis (Reg No. 36,119)
 Stephen C. Durant (Reg No. 31,506)
 David L. Fehrman (Reg No. 28,600)
 Thomas George (Reg No. 45,740)
 Kenneth R. Glick (Reg No. 28,612)
 Douglas G. Hodder (Reg No. 41,840)
 Charles D. Holland (Reg No. 35,196)
 Peter Hsieh (Reg No. 44,780)
 Wayne Jaeschke, Jr. (Reg No. 38,503)
 Richard D. Jordan (Reg No. 33,519)
 Ararat Kapouytian (Reg No. 40,044)
 Cameron A. King (Reg No. 41,897)
 Kawai Lau (Reg No. 44,461)
 Rimas T. Lukas (Reg No. 46,451)
 Gladys H. Monroy (Reg No. 32,430)
 Kate H. Murashige (Reg No. 29,959)
 Martin M. Noonan (Reg No. 44,264)
 Phillip Reilly (Reg No. 41,415)
 Terri Shieh-Newton (Reg No. 47,081)
 Kevin R. Spivak (Reg No. 43,148)
 Thomas L. Treffert (Reg No. P48,279)
 E. Thomas Wheelock (Reg No. 28,825)
 Frank Wu (Reg No. 41,386)
 Peter J. Yim (Reg No. 44,417)
 Karen R. Zachow (Reg No. 46,332)

Kevin Kaster (Reg No. 32,704)

Christine Ring (Reg No. 42,106)

Please direct all communications to:

Carolyn A. Favorito
Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332

Please direct all telephone calls to Carolyn A. Favorito at (858) 720-5195.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

12/12/01

Date

Bryan Julien
Name: Bryan Julien
Residence: 4514 Fleming Avenue, Oakland, CA 94619
Citizenship: United States of America
Post Office Address: 4514 Fleming Avenue, Oakland, CA 94619